



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JLP:ddj

Docket No: 6383-99

8 February 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 February 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1780 PERS 604/009 of 6 January 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1780
PERS-604 /009
6 JAN 2000

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO PN3 FRANCISCO
[REDACTED]

Ref: (a) CNPC memo 5420 PERS-00ZCB of 10 Dec 99
(b) Title 38, United States Code, Chapter 30


1. The following is provided in response to reference (a):

a. Navy College Fund (NCF) Program is a guarantee offered only at the time of enlistment to recruits who meet the basic criteria outlined in reference (b). Fiscal budget or quota constraints prevent NCF Program from being offered to every recruit. Because of this, NCF Program is given only at the discretion of the classifier.

b. Enlistment Contract (DD Form 1966) is the official document used to identify enlistment guarantees. A review of [REDACTED]'s contract indicates he was guaranteed Training and Administration of Reserves Enlistment Program (TEP) and Personnelman Class "A" School, not NCF Program. [REDACTED] signed and initialed this document indicating he reviewed it and the information was correct. As stated above, NCF Program is not offered to every recruit; it may be offered to one recruit while not being offered to another even if both meet the basic criteria outlined in reference (b). Since [REDACTED] was not offered NCF Program, this office recommends the Board deny his request to receive NCF.

c. [REDACTED] elected to enroll in the Montgomery GI Bill (MGIB) Program. The educational assistance benefit for in-service use is limited to the actual cost of tuition and fees. Once PN3 [REDACTED] is released from active duty, the monthly entitlement is \$536 for full time enrollment provided he receives an Honorable discharge. The monthly entitlement is adjusted yearly based on the Consumer Price Index.

2. PERS-604's point of contact is Mr. Linden Butler who can be reached at (C) 901-874-4246 or (DSN) 882-4246.


T. J. CERAK
Captain, U.S. Navy
Director, Navy Drug & Alcohol,
Fitness, Education, and
Partnerships Division (PERS-60)